

REMARKS/ARGUMENTS

Claims 1, 3-5, and 7-20 remain pending. Favorable reconsideration is respectfully requested.

Independent Claims 1 and 5 each specify that the eluted amount of boron is at most 300 ppm of a sample mass amount, as measured by the method recited in each of those claims. This eluted amount of boron is not a process limitation. Rather, it is a physical property that distinguishes the claimed hollow glass microsphere (Claims 1, 3, and 4) and the method of making a hollow glass microsphere (Claims 5 and 7-20).

The rejection of Claims 1, 3-5, and 7-8 under 35 U.S.C. §102(b) over Kawachi is respectfully traversed. Kawachi fails to describe the glass microsphere recited in Claim 1 or the method of making hollow a glass microsphere recited in Claim 5.

Kawachi fails to disclose an eluted amount of boron at all, i.e., the reference is completely silent about eluted boron. Therefore, the reference fails to describe that the eluted amount of boron is at most 300 ppm of a sample mass amount as recited in Claims 1 and 5. Accordingly, Kawachi does not anticipate Claims 1 and 5, and the claims which depend therefrom.

Applicants note the Examiner's comments regarding the method specified in Claims 1 and 5 for measuring the eluted amount of boron. Applicants are not relying only on that method to establish the patentability of the claims. Rather, the claims specify that the eluted amount of boron is at most 300 ppm. Kawachi fails to describe that feature and, therefore, does not describe the claimed invention.

Withdrawal of this ground of rejection is respectfully requested.

The rejection of Claims 1, 3-5, and 7-20 under 35 U.S.C. §103(a) over Aria et al. as evidenced by Kawachi is respectfully traversed. Those references fail to suggest the claimed hollow glass microsphere or method of making a hollow glass microsphere.

As discussed above, Independent Claims 1 and 5 each specify that the eluted amount of boron is at most 300 ppm of a sample mass.

Kawachi fails to describe an eluted amount of boron at all, so that reference certainly fails to describe that the amount is at most 300 ppm of a sample mass, as discussed above.

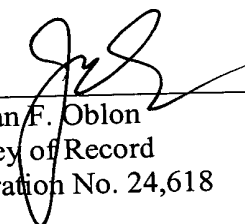
Aria et al. fail to describe such a feature, i.e., that reference also fails to describe that the eluted amount of boron is at most 300 ppm. In addition, neither Kawachi nor Aria et al. suggests that property. Therefore, the hollow glass microsphere recited in Claim 1 or the method of making a hollow glass microsphere recited in Claim 5 is not suggested by Aria et al. as evidenced by Kawachi. Accordingly, Claims 1, 3-5, and 7-20 are not obvious over those references. Withdrawal of this ground of rejection is respectfully requested.

The rejection of the claims under 35 U.S.C. §112, second paragraph, is believed to be obviated by the amendments submitted above. The amount of B₂O₃ in Claims 1 and 5 has been clarified. Accordingly, withdrawal of this ground of rejection is respectfully requested.

Applicants submit that the present application is in condition for allowance. Early notice to this effect is earnestly solicited.

Respectfully submitted,

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